

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the House Committee on  
WATER, LAND, & HAWAIIAN AFFAIRS**

**Friday, March 15, 2019  
9:30 AM  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE CONCURRENT RESOLUTION 19  
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED LANDS AT KAALAWAI,  
HONOLULU, OAHU, FOR THE EXISTING SEAWALL AND STEPS, AND FOR USE,  
REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS  
CONSTRUCTED THEREON**

House Concurrent Resolution 19 requests the authorization to issue a term, non-exclusive easement covering 80 square feet, more or less, portion of state submerged lands identified as tax map key: (1) 3-1-040:001, at Kaalawai, Honolulu, Oahu for the use, repair, and maintenance of the existing seawall and steps constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources ("Department") supports this measure.**

The current owners (grantees) of the abutting property, Wendy Brandt Johnson, William Paul Johnson, and Gary K. Johnson, worked with the Department to resolve the encroachment of the existing seawall and steps by the issuance of a long-term easement. The improvements are located on State submerged lands. As required by Section 171-53, HRS, the Board of Land and Natural Resources ("Board") may lease submerged lands "with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution". At its meeting on November 9, 2018, under agenda item D-12, the Board approved the issuance of a term, non-exclusive easement for purposes stated above.

The grantees shall pay the State the fair market value of the easement as consideration for the use of public lands. The amount of consideration shall be determined by an independent appraisal.

Thank you for the opportunity to comment on this measure.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS